

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

GODFREY DRAKE

PLAINTIFF

V.

CIVIL ACTION NO. 3:03-cv-284HTW-JCS

ANTHONY J. PRINCIPI, SECRETARY  
DEPARTMENT OF VETERANS AFFAIRS

DEFENDANT

**FINAL JUDGMENT**

Before this court is the motion of the defendant for summary judgment. After consideration of the motion, evidence offered in support of the motion, and the memoranda of the parties, the court finds that the motion of the defendant for summary judgment is well taken and should be granted. The Memorandum Opinion and Order entered by this court on September 30, 2006, is incorporated by reference. For the reasons assigned in the court's Memorandum Opinion and Order, the court concludes that judgment should be entered in favor of the defendant and against the plaintiff and that the defendant should be awarded its costs.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the complaint be, and it is hereby DISMISSED WITH PREJUDICE in accordance with this court's Memorandum Opinion and Order at the cost of the plaintiff.

**IT IS FURTHER ORDERED AND ADJUDGED** that the defendant is entitled to recover its taxable costs in this action upon filing a Bill of Costs in the time and manner prescribed.

**SO ORDERED AND ADJUDGED**, this the 30<sup>th</sup> day of September, 2006.

**s/ HENRY T. WINGATE**

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**CHIEF UNITED STATES DISTRICT JUDGE**

Civil Action No. 3:03-cv-284 WS  
Final Judgment